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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**OFFICE OF PETITIONS**

I am application of :
 Application No. : 09/923,846
 Filed : August 07, 2001
 For : PURCHASING ON-LINE USING A
 PARAMETER IN A DATABASE
 Examiner : FISCHER, ANDREW J.
 Art Unit : 3627

Certificate of Mailing

I hereby certify that this
 correspondence and all marked
 attachments are being deposited with
 the United States Postal Service as
 first class mail in an envelope
 addressed to: Assistant Commissioner
 for Patents, Washington, D.C. 20231,
 on August 11, 2004

(Date)


 Jiawei Huang Reg. No. 48,330

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENSIONAL UNDER 37 CFR 1.137(b)

MAIL STOP Petition

Commissioner for Patents.
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely
 and proper reply to a notice or action by the United States Patent and Trademark
 Office. The date of abandonment is the day after the expiration date of the period set
 for reply in the Office notice or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and patent applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unintentional delay.

1. Petition fee

- () Small entity - fee \$665 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

- (X) Other than small entity - fee \$1330 (37 CFR 1.17(m)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office Action in the form of Amendment and Response:

- ☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____
☐ is enclosed herewith.

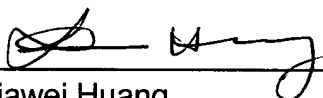
3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$55 for a small entity or \$110 for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Date: 8/11/2004

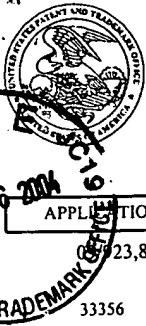

Jiawei Huang
Registration No. 43,330

Telephone Number: (949) 660-0761

Facsimile Number: (949) 660-0809

Enclosures:

- ☒ A copy of Notice of Abandonment.
- ☒ Information Disclosure Statement.
- ☒ Revocation of Power of Attorney with previously filed Declaration.
- ☒ Request for Changing Correspondence Address.
- ☒ Fee Payment
- ☒ Reply



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/23,846	08/07/2001	Yuichiro Itakura	880-24-026	2166

33356 7590 07/08/2003

SOCAL IP LAW GROUP
310 N. WESTLAKE BLVD. STE 120
WESTLAKE VILLAGE, CA 91362

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OFFICE OF PETITIONS

EXAMINER

FISCHER, ANDREW J

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

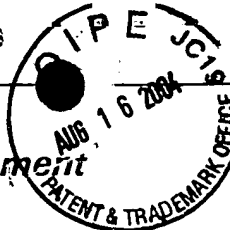
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JUL 16 2003

FOR YOUR FILES

TO: Kenji Ohba
DATE: 7/22/03
INITIALS: sdj

Notice of Abandonment



Application No.
09/923,846

Applicant

Itakura et al

Examiner
Andrew J. Fischer

Art Unit
3627



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on Nov 7, 2002.

(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.

(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).

(c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).

(d) ☒ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).

(b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.

The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.

(c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

(a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.

(b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:

Andrew J. Fischer 7/1/03
ANDREW J. FISCHER
PATENT EXAMINER

Robert P. Olszewski 7/8/03
ROBERT P. OLSZEWSKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.